

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, DECEMBER 7, 2015
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rules for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting**

Conference with Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(d)(1):

CS-1 *Lateasha Johnson v. City of San Diego*

San Diego Superior Court Case No. 37-2014-00008537-CU-PO-CTL
Risk Management Department Claim File No. 8812

DCA Assigned: K. Steinman

This case involves a trip and fall in front of the Plaintiff's residence. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-2 *Alliance for Responsible Development Corp. v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2015-00011794-CU-TT-CTL

DCA Assigned: C. Brock

This case arises from the City of San Diego's certification of the environment impact report for the One Paseo Project on February 23, 2015. The City Attorney's Office will update the Mayor and City Council on the status of the litigation.

CS-3 *Dolores Gonzalez v. City of San Diego*

San Diego Superior Court Case No. 37-2014-00025875-CU-PO-CTL

DCA Assigned: C. Milligan

This case arises from a trip and fall on an alleged dangerous condition of public property. The City Attorney's Office will update the Mayor and City Council on the status of the litigation

Conference with Legal Counsel – significant exposure to litigation, pursuant to California Government Code Section 54956.9(d)(2):

CS-4a *St. Thomas Enterprises, Inc. v. City of San Diego*

Risk Management Department Claim File No. 10865

DCA Assigned: C. Rae

The City Attorney's Office will discuss with the Mayor and City Council initiation of litigation, a threat of litigation, or potential settlement as a result of a construction contract dispute.

Conference with Legal Counsel – anticipated litigation – initiation of litigation, pursuant to California Government Code Section 54956.9 (d)(4):

CS-4b *St. Thomas Enterprises, Inc. v. City of San Diego*

Risk Management Department Claim File No. 10865

DCA Assigned: C. Rae

This matter arises from a claim by St. Thomas Enterprises, Inc. alleging unpaid extra work related to the La Jolla Shores Lifeguard Station. The City Attorney's Office will update the Mayor and City Council on the status of the claim and seek direction.

Conference with Legal Counsel – significant exposure to litigation, pursuant to California Government Code Section 54956.9(d)(2):

CS-5 Number of Cases: One

DCA Assigned: L. DePoister

The City Attorney will discuss with the Mayor and City Council a threat of litigation made by attorney Fern Steiner of Smith, Steiner, Vanderpool & Wax PC representing San Diego City Firefighters, International Association of Firefighters Local 145 in a letter submitted to the City's Human Resources Department on September 11, 2015, and seek direction. The threat of litigation relates to the exempt status of Emergency Response Officers in the San Diego Fire-Rescue Department.

**Conference with Labor Negotiators pursuant to California Government Code
Section 54957.6:**

CS-6 City Designated Management Team Representatives:

Timothy Davis, Burke, Williams, & Sorensen LLP, Labor Negotiation Consultant
Scott Chadwick, Chief Operating Officer
Mary Lewis, Chief Financial Officer
Stacey LoMedico, Assistant Chief Operating Officer
David Graham, Deputy Chief Operating Officer
Paz Gomez, Deputy Chief Operating Officer
Ron Villa, Deputy Chief Operating Officer
Mike Hansen, Director of Land Use and Environmental Policy, Office of the Mayor
Almis Udrys, Performance and Analytics Director, Office of the Mayor
Judy von Kalinowski, Human Resources Director
Karen DeCrescenzo, Human Resources Department Deputy Director
Abby Jarl-Veltz, Labor Relations Manager
Colin Brazile, Human Resources Officer
Darrin Schwabe, Human Resources Officer
Erik Hanson, Human Resources Officer
Victoria Davidson, Human Resources Officer
David Garcia, Human Resources Officer
Matthew Vespi, Interim Risk Management Director
Estella Montoya, Risk Management Deputy Director
Nancy Stadille, Employee Benefits Manager, Risk Management
Elena Perez, Financial Operations Manager, Office of the City Comptroller
Julio Canizal, Deputy Director, Financial Management
Quennelle Allen, Senior Budget Development Analyst, Financial Management
Javier Mainar, Fire Chief, Fire-Rescue Department
Kenneth Barnes, Assistant Fire Chief, Fire-Rescue Department
Brian Fennessy, Assistant Fire Chief, Fire-Rescue Department
Rick Wurts, Lifeguard Chief, Fire-Rescue Department
Shelley Zimmerman, Police Chief, Police Department
Sarah Creighton, Assistant Police Chief
Tanya Tomlinson, Deputy Director, City Attorney's Office, solely for negotiations with the Deputy City Attorneys Association.

Designated as representatives within the meaning of California Government Code
Section 54954.5(f):

Timothy Davis, Burke, Williams, & Sorensen LLP, Labor Negotiation Consultant
Scott Chadwick, Chief Operating Officer
Mary Lewis, Chief Financial Officer
Stacey LoMedico, Assistant Chief Operating Officer
Ron Villa, Deputy Chief Operating Officer
Judy von Kalinowski, Human Resources Director
Karen DeCrescenzo, Human Resources Department Deputy Director
Abby Jarl-Veltz, Labor Relations Manager

Designated as representatives within the meaning of California Government Code
Section 54957.6(a):

Andrea Tevlin, Independent Budget Analyst
Jeff Kavar, Deputy Director, Office of the Independent Budget Analyst
Lisa Byrne, Fiscal and Policy Analyst, Office of the Independent Budget Analyst
Chris Olsen, Fiscal and Policy Analyst, Office of the Independent Budget Analyst

Designated as representatives within the meaning of California Government Code
Section 54957.6(a):

Paul Cooper, Executive Assistant City Attorney, City Attorney's Office
Mary Nuesca, Assistant City Attorney, City Attorney's Office
John Hemmerling, Chief Deputy City Attorney, City Attorney's Office
Joan Dawson, Deputy City Attorney, City Attorney's Office
Roxanne Story Parks, Deputy City Attorney, City Attorney's Office
William Gersten, Deputy City Attorney, City Attorney's Office
Greg Halsey, Deputy City Attorney, City Attorney's Office

Employee organization:

San Diego City Firefighters, International Association of Fire Fighters, Local 145

DCA Assigned: Not assigned

The purpose of this Closed Session matter is to review the City of San Diego's position and instruct the City's labor negotiators on the issue of work schedules and compensation, including payment of overtime and special assignment pay, for the San Diego Fire-Rescue Department's Emergency Resource Officers.

CS-7 City Designated Management Team Representatives:

Timothy Davis, Burke, Williams, & Sorensen LLP, Labor Negotiation Consultant
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David Graham, Deputy Chief Operating Officer
Paz Gomez, Deputy Chief Operating Officer
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Abby Jarl-Veltz, Labor Relations Manager
Colin Brazile, Human Resources Officer
Darrin Schwabe, Human Resources Officer
Erik Hanson, Human Resources Officer
Victoria Davidson, Human Resources Officer
David Garcia, Human Resources Officer
Matthew Vespi, Interim Risk Management Director
Estella Montoya, Risk Management Deputy Director
Nancy Stadille, Employee Benefits Manager, Risk Management
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Joan Dawson, Deputy City Attorney, City Attorney's Office
Roxanne Story Parks, Deputy City Attorney, City Attorney's Office
William Gersten, Deputy City Attorney, City Attorney's Office
Greg Halsey, Deputy City Attorney, City Attorney's Office

Employee organization:

Teamsters, Local 911 (Teamsters)

DCA Assigned: Not assigned

The purpose of this Closed Session matter is to review the City of San Diego's position
and instruct the City's labor negotiators on the issue of Lifeguard Presumptive Illnesses.